

Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 DHA-05 CIAE-00 DODE-00 PM-05 H-01

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

SS-15 USIA-06 /066 W

-----036931 100623Z /20

R 091803Z SEP 77

FM AMEMBASSY MANAGUA
TO SECSTATE WASHDC 4290

C O N F I D E N T I A L MANAGUA 4205

E.O. 11652: GDS

TAGS: SHUM, NU

SUBJECT: HUMAN RIGHTS: RAUL GONZALEZ CASE

REF: STATE 214643

SUMMARY: EMBASSY ALREADY HAS BEEN COLLECTING INFORMATION ON GONZALEZ CASE. IT APPEARS ARGUMENT THAT HE WAS KILLED BY THE GN RATHER THAN SHOT IN SHOOTOUT IS STRONG. INVESTIGATION BY THE NATIONAL GUARD (GN) IS UNDERWAY AND CONGRESSIONAL PRESIDENT HUECK ANNOUNCED PRIOR TO HIS DEPARTURE FOR WASHINGTON HE HAD LEFT INSTRUCTIONS FOR INVESTIGATION BY CONGRESSIONAL HUMAN RIGHTS COMMITTEE. FURTHER DEVELOPMENTS WILL BE REPORTED AS THEY OCCUR.
END SUMMARY.

1. THE GN ACCOUNT REFERRED TO FIVE PERSONS INITIATING A SHOOTOUT WITH A GN PATROL CONDUCTING SEARCHES OF VEHICLES. TWO PERSONS INCLUDING GONZALEZ WERE KILLED AND THE OTHER THREE (ONE WOUNDED) ESCAPED. THE SECOND PERSON, WHOSE IDENTITY IS UNCLEAR, SUPPOSEDLY HAD A FALSE IDENTITY CARD OF THE HONDURAN ARMED FORCES INTELLIGENCE SERVICE. THAT GONZALEZ COULD HAVE BEEN INVOLVED IN GUERRILLA ACTIVITIES WAS LENT CREDENCE BY THE FACT TWO OF HIS BROTHERS HAD PREVIOUSLY BEEN ACCUSED OF SUCH ACTIVITY. ONE OF THE BROTHERS SOUGHT CONFIDENTIAL

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EXILE IN THE MEXICAN EMBASSY IN MANAGUA AND WAS GRANTED ASYLUM. THE OTHER MANAGED TO LEAVE THE COUNTRY CLANDESTINELY.

2. ON SEPTEMBER 7, POLOFF SPOKE WITH DECEASED'S BROTHER JAIME AND HIS SISTER FOR OVER TWO HOURS. JAIME IS A DOCTOR AND IS ONE OF THE THREE SIGNERS OF THE MEDICAL DECLARATION REFERRED TO IN

REFTEL. BOTH HAD SEEN THEIR BROTHER'S BODY AND ATTEST TO THE FACT THERE WAS NO BULLET WOUND. THE SECOND BODY, HOWEVER, DID BEAR A BULLET WOUND IN THE FOREHEAD. THEY STATED THEIR BROTHER HAD BEEN TAKEN ALIVE TO THE GN COMMAND WHERE HE WAS BEATEN TO DEATH BY RIFLE BLOWS AS INDICATED BY MARKS ON HIS BODY.

3. THERE IS REPORTEDLY AN EARLIER AUTOPSY BY A FORENSIC DOCTOR WHICH STATES RAUL WAS KILLED BY A BULLET WOUND, WHICH EMBOFFS HAVE NOT SEEN BUT THE FAMILY ACKNOWLEDGES. THEY SAY THE DOCTOR WAS PRESSURED BY THE GN TO SIGN THIS REPORT.

4. DR. GONZALEZ AND HIS SISTER STATE THAT ALL ACCUSATIONS OF GUERRILLA ACTIVITY ON THE PART OF FAMILY MEMBERS ARE FALSE AND ARE A VENDETTA AGAINST THE FAMILY RESULTING FROM A LAND DISPUTE. A LIEUTENANT RIVERA IN THE GN SECURITY SERVICE IS, ACCORDING TO THEM, THE ACCUSER AND HE IS MOTIVATED BY THE FACT THAT HIS FATHER, THE FORMER MAYOR OF CONDEGA, WAS OPPOSED BY THE GONZALEZ FAMILY AND LOST IN HIS EFFORT TO TAKE OVER SOME LAND WHICH BELONGED TO THE GONZALEZ FAMILY.

5. THE GONZALEZ' STATE THERE ARE WITNESSES TO THEIR VERSION OF THEIR BROTHER'S DEATH. THEY STATE THAT THE SECOND PERSON KILLED HAD NOTHING TO DO WITH THEIR BROTHER BUT WAS SIMPLY PASSING BY WITH TWO COMPANIONS WHEN THEIR BROTHER WAS BEING BEATEN BY THE GN. WHEN HE
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INTERFERRED HE WAS SHOT. THE OTHER TWO COMPANIONS ARE WITNESSES IF THEY CAN BE FOUND. THERE IS SUPPOSED TO BE A THIRD WITNESS WHO SAW RAUL GONZALEZ BEATEN AND TAKEN AWAY TO THE GN COMMAND. THEY SAY PERSONS LIVING NEAR THE COMMAND HEARD THEIR BROTHER CALL OUT HIS NAME, BUT THAT THESE PEOPLE PROBABLY WOULD BE TOO AFRAIND TO TESTIFY. A CAPUCHIN PRIEST REPORTEDLY SAW THE GONZALEZ VEHICLE AFTER THE SUPPOSED SHOOT-OUT AND SAW NO INDICATION OF DAMAGE. THE FACT THAT WINDOWS ARE NOW SHOT OUT OF THE VEHICLE WOULD INDICATE IT WAS DONE AFTER THE FACT. EMB IS ATTEMPTING TO CONTACT THE PRIEST.

6. THE GONZALEZ FAMILY, AND JAIME IN PARTICULAR, IS WELL KNOWN BY PRESIDENT SOMOZA, GEN. JOSE R. SOMOZA AND OTHER SOMOZA FAMILY MEMBERS AS LIBERAL PARTY MEMBERS. HE, JAIME, HAS APPEALED DIRECTLY TO THEM FOR INVESTIGATION AND PUNISHMENT OF THOSE RESPONSIBLE FOR HIS BROTHER'S DEATH. THE GN HAS ALREADY LAUNCHED AN INVESTIGATION. CONGRESSIONAL PRESIDENT HUECK PUBLICLY STATED AT THE TIME OF HIS DEPARTURE FOR WASHINGTON FOR THE PANAMA CANAL TREATY SIGNING CEREMONY THAT HE HAD LEFT INSTRUCTION FOR AN INVESTIGATION. POLOFF UNDER-

STANDS A MOTION WILL BE INTRODUCED SEPTEMBER 9 IN THE CONGRESS FOR AN INVESTIGATION OF THE GONZALEZ CASE BY A HUMAN RIGHTS COMMITTEE OF THE CONGRESS.

7. COMMENT: ON THE BASIS OF INFORMATION AND DOCUMENTS FURNISHED BY THE GONZALEZ FAMILY IT SEEMS THEIR VERSION OF THEIR BROTHER HAVING BEEN BEATEN TO DEATH RATHER THAN KILLED IN A SHOOTOUT MAY BE TRUE, AND THE POSSIBILITY MAY EXIST TO ESTABLISH THE VERACITY OF THEIR ACCUSATION AGAINST THE GN. EMB WILL CONTINUE TO SEEK FURTHER INFORMATION AND FOLLOW RESULTS OF INVESTIGATIONS.

RUBENSTEIN

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, DEATHS, POLICE INVESTIGATIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 09-Sep-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977MANAGU04205
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770328-0510
Format: TEL
From: MANAGUA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770981/aaaacqrt.tel
Line Count: 127
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 6c4f9849-c288-dd11-92da-001cc4696bcc
Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 STATE 214643
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 14-Apr-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1334516
Secure: OPEN
Status: NATIVE
Subject: HUMAN RIGHTS: RAUL GONZALEZ CASE
TAGS: SHUM, NU, (GONZALEZ ALMENDAREZ, RAUL)
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/6c4f9849-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009